

**RESOLUTION NO. 2016-35**

**A RESOLUTION OF THE VILLAGE COUNCIL OF THE  
VILLAGE OF KEY BISCAYNE, FLORIDA, APPROVING A  
VARIANCE WITH CONDITIONS FROM THE DOCK  
REQUIREMENTS PROVIDED IN SECTION 30-100(F)(4) OF  
THE VILLAGE CODE OF ORDINANCES FOR THE  
PROPERTY LOCATED AT 360 HARBOR DRIVE; AND  
PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, Claudio Insenga and Annamaria Perrone (“Applicants”) are the owners of 360 Harbor Drive, Key Biscayne, Florida (“Property”); and

**WHEREAS**, pursuant to Section 30-63 of the Village Code of Ordinances (“Village Code”), the Applicants have submitted a Planning and Zoning Application bearing Public Hearing #RV37, seeking to vary the dock requirements of Section 30-100(f)(4) of the Village Code (“Variance”); and

**WHEREAS**, after proper public notice, the Village Council conducted a public hearing and considered all testimony and other evidence presented and otherwise made part of the record concerning the Variance.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AS FOLLOWS:**

**Section 1. Recitals Adopted.** That each of the recitals stated above is hereby adopted and confirmed.

**Section 2. Findings.** The Village Council finds that the Applicants have met all of the requirements in Section 30-63 of the Village Code. Specifically, the Village Council finds that the Variance will (a) result in conditions that maintain and are consistent in all material respects with the intent and purpose of the Village Code, and that the general welfare, stability and appearance of the community will be protected and maintained; and (b) be compatible with the surrounding land uses, and otherwise consistent with the Village Code and Comprehensive Plan, and will not be detrimental to the community.

**Section 3. Approval of Variance.** The Village Council hereby approves the Applicants’ request to vary the provisions of Section 30-100(f)(4) of the Village Code to permit a dock to project 55 feet from the bulkhead of the Property.

**Section 4. Conditions.** The granting of the Variance approved herein is conditioned upon the following condition: No mooring piles shall be allowed to be constructed on the Property.

**Section 5. Recording.** This Resolution shall be recorded, prior to issuance of a building permit, by the Applicants at their expense in the public records of Miami-Dade County, Florida. A copy of the proof of recordation shall be submitted to the Building, Zoning and Planning Department prior to the issuance of any building permits. This Resolution shall be considered a covenant running with the land pursuant to Section 30-66(5) of the Village Code.

**Section 6. Effective Date.** This Resolution shall be effective immediately upon adoption hereof.

PASSED AND ADOPTED this 29<sup>th</sup> day of November, 2016.

  
MAYOR MAYRA PEÑA LINDSAY

ATTEST:

  
CONCHITA H. ALVAREZ, MMC, VILLAGE CLERK

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY

  
VILLAGE ATTORNEY





CFN 2017R0027732  
OR BK 30386 Pgs 1648-1650 (3Pgs)  
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## DOCUMENT COVER PAGE

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An additional recording fee for this page must be remitted.

(Space above this line reserved for recording office use)

**Document Title:** Resolution of the Village Council of the Village of Key Biscayne  
(Mortgage, Deed, Etc.) approving the regulatory variance for the construction of the  
dock.

**Return Document To / Prepared By:**

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Rule 2.520 (d) On all ... documents prepared ... which are to be recorded in the public records of any county ... a 3 - inch by 3 - inch space at the top right-hand corner on the first page and a 1 - inch by 3 - inch space at the top right-hand corner on each subsequent page shall be left blank and reserved for use by the clerk of court.